

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 2590-149
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 104566973	
INTERNATIONAL APPLICATION NO. PCT/CH2004/000484	INTERNATIONAL FILING DATE 3 August 2004	PRIORITY DATE CLAIMED 5 August 2003	
TITLE OF INVENTION DEVICE FOR THE PREPARATION OF A COFFEE-BASED DRINK			
APPLICANT(S) FOR DO/EO/US MARILLER			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The U.S. has been elected (Article 31). 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (12 pages specification, claims & abstract (8 claims), 8 sheets drawings). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (12 pages specification and claims (8 claims), 8 sheets drawings). b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. a. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <ol style="list-style-type: none"> b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached). 10. <input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 			
Items 11 To 20 below concern document(s) or information included:			
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. 13. a. <input checked="" type="checkbox"/> A FIRST preliminary amendment. b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information. (1) Two pages of French language Amended Sheets annexed to IPER and (2) Front page of published WO 2005/011452 			

U.S. APPLICATION NO. (If known) see 37 C.F.R. 1.5 Unknown	INTERNATIONAL APPLICATION NO. PCT/CH2004/000484	ATTORNEY'S DOCKET NUMBER 2590-149
<input checked="" type="checkbox"/> The following fees are submitted:		
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):		
21. <input checked="" type="checkbox"/> Basic national fee \$300.00 (1631)/\$150.00 (2631) \$ 150.00		
22. <input checked="" type="checkbox"/> Examination Fee \$0 (1643/2643) \$ 100.00		
23. <input checked="" type="checkbox"/> Search Fee \$0 (1640/2640) \$ 100.00		
..... \$100 (1641)/\$50 (2641) \$ 400 (1642)/\$200 (2642)		
..... \$500.00 (1632)/\$250.00 (2632) \$ 200.00		
TOTAL OF ABOVE CALCULATIONS		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
0	-100	0 /50 = 0.00
RATE		
\$0.00 (1681) \$ 0.00 (2681)		
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).		
<input type="checkbox"/> 30 months		
\$ 65.00		
CLAIMS	NUMBER FILED	# EXTRA
Total Claims	7	minus 20 = 0 X
RATE		
\$50.00 (1615)/\$25.00 (2615)		
Independent Claims	1	minus 3 = 0 X
\$200.00 (1614) \$100.00 (2614)		
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)		
RATE		
\$360.00 (1616)/\$180.00 (2616)		
\$ 0.00		
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).		
TOTAL NATIONAL FEE =		
\$ 515.00		
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property +		
TOTAL NATIONAL FEE =		
\$ 0.00		
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)		
TOTAL FEES ENCLOSED =		
\$ 0.00		
Amount to be refunded: \$ 0.00		
Amount to be Charged: \$ 0.00		

- a. A check in the amount of \$515.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 14-1140 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this form is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any

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overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

d. **CREDIT CARD PAYMENT FORM ATTACHED.**

e. The entire content of International Application No. PCT/CH2004/000484 and any U.S. and foreign application(s) corresponding thereto, and CH 01353/03, referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.

CORRESPONDENCE ADDRESS

Direct all correspondence to:

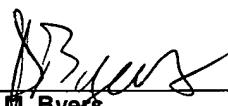
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DMB:lmv


Duane M. Byers

NAME

33,363

REGISTRATION NUMBER

February 2, 2006

Date